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Patent case: The General Hospital Corp. v. Sienna Biopharmaceuticals Inc., USA

Peter Reap (Wolters Kluwer Legal & Regulatory US) · Thursday, May 24th, 2018

In an interference proceeding, the Patent Trial and Appeal Board correctly determined that claims 65-67 of applicant General Hospital Corporation's (GHC's) U.S. Patent Application No. 13/789,575 for methods of removing hair by using nanoparticles to damage hair follicles lacked sufficient written description under § 112 of the Patent Act, the U.S. Court of Appeals for the Federal Circuit has ruled. However, the Board's determination that GHC failed to show that its proposed new claim 74 was patentable and failed to meet its burden of showing that claim 74 interferes with any of the claims of U.S. Patent No. 8,821,941, owned by Sienna Biopharmaceuticals, was arbitrary and capricious. Thus, the Board's denial of GHC's contingent motion to add new claim 74 was vacated and the dispute remanded for further proceedings (The General Hospital Corp. v. Sienna Biopharmaceuticals, Inc., May 4, 2018, Moore, K.).

Case date: 04 May 2018

Case number: No. 2017-1012

Court: United States Court of Appeals, Federal Circuit

A full summary of this case has been published on [Kluwer IP Law](#).

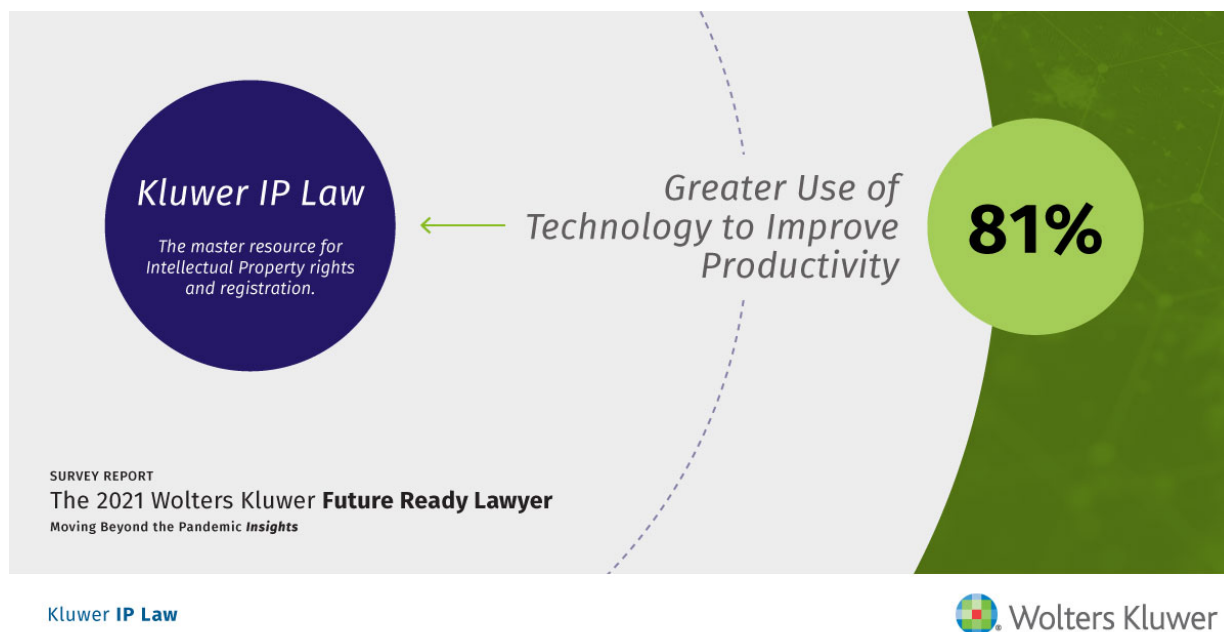
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